

REMARKS

The present application has been reviewed in light of the Office Action dated March 7, 2008. Claims 55, 58-60, 63-65, 68, and 69 are presented for examination, of which Claims 55, 60, and 65 are in independent form. Claims 55, 60, and 65 have been amended to define aspects of Applicant's invention more clearly. Favorable reconsideration is requested.

The abstract of the disclosure has been objected to for the informalities noted in section 3 of the Office Action. In response, the abstract has been amended to remove the following phrase: "As an exemplary scheme . . . is provided." Accordingly, withdrawal of the objection is respectfully requested.

Claims 55, 58, and 59 have been rejected under 35 U.S.C. § 101, as being directed to non-statutory subject matter. Applicant has carefully reviewed and amended Claim 55, as deemed necessary, to ensure that it conforms fully to the requirements of § 101, with special attention to the points raised in section 6 of the Office Action. It is believed that Claims 55, 58, and 59 are directed to statutory subject matter and therefore withdrawal of the rejections is respectfully requested.

Claims 55, 58-60, 63-65, 68, and 69 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has carefully reviewed and amended Claims 55, 60, and 65, as deemed necessary, to ensure that they conform fully to the requirements of § 112, second paragraph, with special attention to the points raised in section 8 of the Office Action. It is believed that the rejections have been obviated, and therefore their withdrawal is respectfully requested.

The Office Action states that Claims 55, 58-60, 63-65, 68, and 69 are rejected under § 103(a) as being unpatentable over U.S. Patent No. 6,681,392 (*Henry et al.*) in view of

U.S. Patent No. 5,828,864 (*Danknick et al.*). Applicant submits that independent Claims 55, 60, and 65, together with the claims dependent therefrom, are patentably distinct from the cited references for at least the following reasons.

The aspect of the present invention set forth in Claim 55 is directed to an information processing apparatus in communication with one or more client apparatuses via a network. An information processing apparatus includes a programmed processor that controls communications with the one or more client apparatuses. The programmed processor includes determination means, designation means, and transmission controlling means. The determining means is for determining a plurality of client apparatuses on which a driver is to be set up. The designation means is for designating whether a test printing instruction is to be transmitted to each of the plurality of client apparatuses determined by the determining means. If the designation means designates that the test printing instruction is to be transmitted, the transmission controlling means controls operations to transmit, without waiting for a request from any of the plurality of client apparatuses, to each of the plurality of client apparatuses determined by the determining means a set-up instruction to set up a driver and the test printing instruction to execute test printing to check if the driver set-up has been completed, via the network. The test printing is executed after the driver set up is executed. Identification information of the plurality of client apparatuses is printed in the test printing at a printer corresponding to the set up driver. If the designation means designates that the test printing instruction is not to be transmitted, the transmission controlling means controls operations to transmit the set-up instruction to each of the plurality of client apparatuses determined by the determining means without waiting for a request from any of the plurality of client apparatuses.

Notable features of Claim 55 include the “designation means for designating

whether a test printing instruction is to be transmitted to each of the plurality of client apparatuses determined by said determining means,” and the “transmission controlling means for, if the designation means designates that the test printing instruction is to be transmitted, controlling operations to transmit, without waiting for a request from any of the plurality of client apparatuses, to each of the plurality of client apparatuses determined by the determining means a set-up instruction to set up a driver and the test printing instruction to execute test printing to check if the driver set-up has been completed, via the network, wherein the test printing is executed after the driver set up is executed, and wherein identification information of the plurality of client apparatuses is printed in the test printing at a printer corresponding to the set up driver, and wherein, if the designation means designates that the test printing instruction is not to be transmitted, the transmission controlling means controls operations to transmit the set-up instruction to each of the plurality of client apparatuses determined by the determining means without waiting for a request from any of the plurality of client apparatuses.” By virtue of these features, an apparatus according to Claim 55 is able to quickly install and test print drivers on a plurality of client apparatuses.

Henry et al. relates to remote installation of software, such as drivers and control programs, on networked computers and workstations. Apparently, *Henry et al.* teaches that a local computer system attaches to a remote registry of a remote system, which includes system information such as locations of system files and system directories (col. 4, lines 23-29). The local system is able to determine locations for system and driver files on the remote system that are related to a peripheral for which software is being installed or updated.

Danknick et al. relates to a network device that interfaces to a peripheral device on a network, receives peripheral status data from the peripheral device, and outputs a testpage

that contains network information, such as printer information.

Applicant submits that a combination of *Henry et al.* and *Danknick et al.*, assuming such combination would even be permissible, would fail to teach or suggest “designation means for designating whether a test printing instruction is to be transmitted to each of the plurality of client apparatuses determined by the determining means,” and “transmission controlling means for, if said designation means designates that the test printing instruction is to be transmitted, controlling operations to transmit, without waiting for a request from any of the plurality of client apparatuses, to each of the plurality of client apparatuses determined by the determining means a set-up instruction to set up a driver and the test printing instruction to execute test printing to check if the driver set-up has been completed, via the network, wherein the test printing is executed after the driver set up is executed, and wherein identification information of the plurality of client apparatuses is printed in the test printing at a printer corresponding to the set up driver, and wherein, if the designation means designates that the test printing instruction is not to be transmitted, the transmission controlling means controls operations to transmit the set-up instruction to each of the plurality of client apparatuses determined by the determining means without waiting for a request from any of the plurality of client apparatuses,” as claimed in Claim 55. Accordingly, Applicant submits that Claim 55 is patentable over the cited references and respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a).

Independent Claims 60 and 65 include features similar to those of Claim 55. Therefore, Claims 60 and 65 are believed to be patentable for at least the reasons discussed above. The other rejected claims in the present application depend from one or another of Claims 55, 60, and 65 and therefore are submitted to be patentable for at least the same reasons. Because

each dependent claim is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and an early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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